

REMARKS

This Amendment is being filed simultaneously with a Request for Continued Examination. This Amendment serves as a submission under 37 C.F.R. 1.114.

Claims 1, 2, 4, 5, 7-11, 13, 15-16, 18-19, 21-23, 25 and 27-36 are pending in this application. By this Amendment, each of independent claims 1, 8, 15 and 23 are amended.

The Office Action rejects claims 1, 5, 7-10, 15, 19, 21-23 and 27-29 under 35 U.S.C. §102(e) by U.S. Patent 6,510,144 to Dommety et al. (hereafter Dommety). The Office Action also rejects claims 2, 4, 11, 13, 16, 18, 25 and 30-32 under 35 U.S.C. §103(a) over Dommety in view of U.S. Patent 6,247,058 to Miller et al. (hereafter Miller). Still further, the Office Action rejects claims 33 and 35-36 under 35 U.S.C. §103(a) over Dommety in view of U.S. Patent 6,172,986 to Watanuki et al. (hereafter Watanuki). The rejections are respectfully traversed with respect to the pending claims.

Independent claim 1 recites a first foreign agent receiving said packets from said home agent and storing said packets in a first buffer of said first foreign agent, wherein said first foreign agent sends said stored packets to said mobile node if said mobile node continues to be linked to said first foreign network. Independent claim 1 still further recites a second foreign agent receiving said packets stored in said first buffer of said first foreign agent from said first foreign agent, and the second foreign agent storing said received packets in a second buffer of said second foreign agent if said mobile node is moved to a second foreign network from said first foreign network. Still further, independent claim 1 recites the packets stored in the second buffer that are received from the first buffer include packets stored in the first buffer while the

Reply to Office Action dated August 1, 2007

mobile node is in the first foreign network, said second foreign agent being included in said second foreign network.

The applied references do not teach or suggest at least these features of independent claim 1. More specifically, Dommety does not teach or suggest a first foreign agent receiving the packets from the home agent and storing the packets in a first buffer of the first foreign agent in combination with a second foreign agent receiving the packets stored in the first buffer of the first foreign agent from the first foreign agent, and the second foreign agent storing the received packets in a second buffer of the second foreign agent if said mobile node is moved to a second foreign network from the first foreign network. That is, Dommety's col. 7, lines 4-40 describes that portions of packets may be retransmitted from a source node based on buffered information. This does not teach or suggest a second foreign agent receiving the packets stored in the first buffer of the first foreign agent from the first foreign agent.

Further, the Office Action (on pages 2-3) appears to rely on Dommety's statement that buffering and/or triggering mechanisms may also be implemented by any foreign agent or the mobile node itself. However, the cited features do not relate to receiving packets stored in a first buffer at a second foreign agent and storing the received packets in a second buffer of the second foreign agent. That is, mere buffering and triggering does not teach or suggest the claimed features. Dommety is clear that the retransmission is from the sending node. The Office Action's citation to Dommety's col. 7, lines 9-49 does not teach or suggest all the features of independent claim 1.

Reply to Office Action dated August 1, 2007

Dommetry also does not teach or suggest that the packets stored in the second buffer that are received from the first buffer include packets stored in the first buffer while the mobile node is in the first foreign network. Dommetry clearly relates to retransmission of data from a sending node to a receiving node. The Office Action also references Dommetry's col. 11, lines 26-44. However, the features discussed at this section relates to a different "reference" by Roy Laurens. This other description that as mentioned in the Office Action relates to packets being sent after a mobile node disconnects from an old address. The Patent Office has not provided this other reference. There also is no suggestion of how this feature may be combined with Dommetry's retransmission from a sending node. Additionally, even if the features of col. 11, lines 26-44 are combined with Dommetry, the combination still does not teach or suggest that the packets stored in the second buffer that are received from the first buffer include packets stored in the first buffer while the mobile node is in the first foreign network. That is, the section relating to the other reference relates to information after the mobile node disconnects.

For at least the reasons set forth above, Dommetry does not teach or suggest all the features of independent claim 1. The other applied references do not teach or suggest the features of independent claim 1 missing from Dommetry. Thus, independent claim 1 defines patentable subject matter.

Independent claim 8 recites sending said packets received by said home agent to said first foreign agent and storing the packets in a first buffer of the first foreign network, the first foreign agent sending the stored packets to the mobile node if the mobile node continues to be linked to the first foreign network. Independent claim 8 also recites sending said packets stored

Reply to Office Action dated August 1, 2007

in said first buffer to said second foreign agent and storing the received packets in a second buffer of the second foreign agent if said mobile node is moved to the second foreign network from the first foreign network, wherein the packets stored in the second buffer that are received from the first buffer include packets stored in the first buffer while the mobile node is in the first foreign network.

For at least similar reasons as set forth above, the applied references do not teach or suggest at least these features of independent claim 8. Thus, independent claim 8 defines patentable subject matter.

Independent claim 15 recites storing packets in a first buffer of the first foreign agent in the first foreign network, the first foreign agent sending the stored packets to the mobile node if the mobile node is linked to the first foreign network. Independent claim 15 also recites storing the packets in a second buffer at the second foreign agent after the second foreign agent receives the packets and the mobile node has moved from the first foreign network to the second foreign network, wherein the packets stored in the second buffer that are received from the first buffer include packets stored in the first buffer while the mobile node is in the first foreign network.

For at least similar reasons as set forth above, the applied references do not teach or suggest at least these features of independent claim 15. Thus, independent claim 15 defines patentable subject matter.

Independent claim 23 recites storing said packets in a first buffer of the first foreign agent, and the first foreign agent sending the stored packets to a mobile node if the mobile node continues to be linked to the first foreign network. Independent claim 23 also recites a second

Reply to Office Action dated August 1, 2007

foreign agent receiving said packets stored in said first buffer of the first foreign agent from the first foreign agent and the second foreign agent storing the received packets in a second buffer of the second foreign agent if the mobile node moves to the second foreign network from the first foreign network, wherein the packets stored in the second buffer that are received from the first buffer includes packets stored in the first buffer while the mobile node is linked to the first foreign network.

For at least similar reasons as set forth above, the applied references do not teach or suggest at least these features of independent claim 23. Thus, independent claim 23 defines patentable subject matter.

For at least the reasons set forth above, each of independent claims 1, 8, 15 and 23 defines patentable subject matter. Each of the dependent claims depends from one of the independent claims and therefore defines patentable subject matter at least for this reason. In addition, the dependent claims recite features that further and independently distinguish over the applied references.

CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance of claims 1, 2, 4, 5, 7-11, 13, 15-16, 18-19, 21-23, 25 and 27-36 are earnestly solicited. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

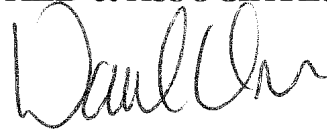
Serial No. **09/987,098**

Docket No. **K-0342**

Reply to Office Action dated August 1, 2007

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
KED & ASSOCIATES, LLP

A handwritten signature in black ink, appearing to read "David C. Oren", is written over the printed name.

David C. Oren
Registration No. 38,694

P.O. Box 221200
Chantilly, Virginia 20153-1200
(703) 766-3777 DCO/kah

Date: October 26, 2007

Please direct all correspondence to Customer Number 34610